

Examination of 120 packages of the article by the Bureau of Chemistry of this department showed that the average net weight of the product examined was 15.78 ounces.

Misbranding of the article was alleged in the information for the reason that the statement, to wit, "One Lb. Net Wt.," borne on the packages containing the article, was false and misleading in that the said statement represented that each of the said packages contained 1 pound net of butter, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that each of the said packages contained 1 pound net of butter, whereas, in truth and in fact, each of said packages did not contain 1 pound net of the article but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 28, 1924, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$30 and costs.

HOWARD M. GORE, *Secretary of Agriculture.*

**12615. Adulteration and misbranding of butter. U. S. v. The Northern Colorado Dairy Co., a Corporation. Plea of guilty. Fine, \$45.**  
(F. & D. No. 18369. I. S. No. 11898-v.)

On June 20, 1924, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against The Northern Colorado Dairy Co., a corporation, Brighton, Colo., alleging shipment by said company, in violation of the food and drugs act as amended, on or about November 5, 1923, from the State of Colorado into the State of Texas, of a quantity of butter which was adulterated and misbranded. The article was labeled in part: "One Lb. Net Wt. Circle Star Brand \* \* \* Butter."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that the said samples contained 79.4 per cent of butter-fat. Examination of 150 cartons of the product by said bureau showed that the average net weight of the product examined was 15.61 ounces.

Adulteration of the article was alleged in the information for the reason that a product deficient in milk fat had been substituted for butter, which the said article purported to be, for the further reason that a valuable constituent of the article, to wit, milk fat, had been in part abstracted, and for the further reason that a product which contained less than 80 per cent by weight of milk fat had been substituted for a product which should contain not less than 80 per cent by weight of milk fat, as prescribed by the act of March 4, 1923.

Misbranding was alleged for the reason that the statements, to wit, "Butter" and "One Lb. Net Wt.," borne on the packages containing the article, were false and misleading in that the said statements represented that the article consisted wholly of butter, to wit, a product which should contain not less than 80 per cent by weight of milk fat, as prescribed by the act of March 4, 1923, and that each of the packages contained 1 pound net weight of butter, and for the further reason that it was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it consisted wholly of butter and that each of the said packages contained 1 pound thereof, whereas, in truth and in fact, it did not consist wholly of butter but did consist of a product deficient in milk fat, each of said packages did not contain 1 pound net weight of butter but did contain a less amount, and the said article was a product which did not contain 80 per cent by weight of milk fat but did contain a less amount. Misbranding was alleged for the further reason that the article was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On July 23, 1924, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed of fine of \$45.

HOWARD M. GORE, *Secretary of Agriculture.*

**12616. Misbranding of butter. U. S. v. The Logan County Creamery Co., a Corporation. Plea of guilty. Fine, \$75 and costs.** (F. & D. No. 18479. I. S. Nos. 11920-v, 11921-v, 11922-v.)

On June 20, 1924, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against The Logan